

WHAT CAN AN OWNER OF A BOARDED HOUSE DO IF THEY RECEIVE AN ORDER BUT CANNOT COMPLY DUE TO PERSONAL REASONS?

They can appeal the order to the Standards and Appeals Commission and propose an alternate plan that may be acceptable.

HELPFUL INFORMATION ON THE INTERNET

**1. Link to DNS site showing spec's for a
H.U.D. seal board-up:**

<http://www.city.milwaukee.gov/display/router.asp?docid=3706>

2. Link to DNS Landlord Training site:

<http://www.city.milwaukee.gov/display/router.asp?docid=1561>

**3. Link to Code 275-32-7.5 (Page 16 of 36)
in Milwaukee describing ordinance:**

<http://www.city.milwaukee.gov/display/router.asp?docid=1143>

4. Where to get a permit in Milwaukee:

<http://www.mkedcd.org/build/>

5. Listing of City Real Estate for sale:

<http://www.mkedcd.org/realestate/>

6. Main City of Milwaukee Home Page:

<http://www.city.milwaukee.gov>

Frequently Asked Questions?

Q. Where can a landlord obtain information about police activity at a property?

A. Anyone can request information of prior police service at an address through the Open Records Section of the MPD. The request must either be submitted in writing or in person at the Open Records Section, 2333 N. 49th St., Milwaukee, WI 53210, 2nd Floor. Any further questions on what information is available, please call 935-7502.

Q. How do I access the City of Milwaukee Municipal Court System records?

A. Go to <http://www.court.ci.mil.wi.us/>

Q. How do I access the State of Wisconsin Court System records?

A. Go to <http://wcca.wicourts.gov/index.xsl>

Q. How do I contact the owner of a property in the City of Milwaukee?

A. Non-owner occupied property must be recorded. Go to
http://itmdapps.ci.mil.wi.us/MyMHome/SearchDB2_prod.jsp

Q. Where can I find forms and applications for DNS?

A. <http://www.milwaukee.gov/dns>



produced by the
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RESIDENTIAL BUILDING BOARD-UP ORDINANCE



**City
of
Milwaukee**

**Department
of
Neighborhood
Services**

DNS-29A V1.5 TNW 9/14/05

Milwaukee's Residential Building Board-Up Code

For many years, Milwaukee's code allowed an owner to keep a residential building vacant and boarded as long as it was reasonably well maintained. However, a boarded house sends a negative signal about a neighborhood. These buildings can attract negative activity. Often the buildings must be re-boarded at city expense and can make it difficult for neighbors next door to get fire insurance. The presence of a boarded house can bring down the value of other properties in the area

In March of 2005, the City enacted a housing preservation ordinance (275-32-7.5) that requires owner(s) of a residential property left vacant and boarded for 6 months or more, to take steps toward repairing, razing, selling or obtaining a sealing permit if the structure has a historical designation.

HOW IT WORKS

This code applies to vacant residential buildings that have been boarded for 6 months or more. After that time, DNS can issue an order that requires the owner to take one of the following steps:

1. Remove the boards.
2. Obtain a rehab permit and submit to DNS a plan to get the building rehabbed within 6 months.

3. Obtain a valid "mothball" permit if the building is designated as a historic structure or in a historic district.
4. Obtain a valid demolition permit.
5. List the building for sale with a Multiple Listing Service (MLS) broker at a reasonable asking price and make the building available for viewing by potential buyers. The code states that assessed value is to be used by DNS to judge if the sales price is reasonable.

DOES THIS CODE APPLY TO ALL BOARDED BUILDINGS?

No. It does not apply to commercial or mixed use buildings, but only to those constructed primarily for residential purposes.

WHAT ABOUT CITY OWNED HOUSES?

The houses the City owns are acquired through tax foreclosure. They are for sale per code. See the following web site for information.

<http://www.mkedcd.org/realestate/>

(see also)

<http://www.mls.com>

IF I OWN A BOARDED HOUSE, HOW CAN I APPEAL AN ORDER ISSUED UNDER THIS CODE?

The Standards and Appeals Commission, a body of private citizens, is authorized to hear such appeals. Appeal rights are listed on all DNS orders.

WHAT CAN HAPPEN IF I FAIL TO COMPLY WITH THE CODE?

The code allows DNS to prosecute an owner and seek a municipal court forfeiture ranging \$150 - \$5000. It also provides for assessing fees to recoup inspection costs. The City could also seek remedies in Circuit Court against the owner for maintaining a nuisance property.

DO OTHER CODE PROVISIONS APPLY?

Yes. The building owner is required to maintain the building in compliance with all other codes. For example, all orders to keep the property painted and litter free would also need to be complied with. In some circumstances, the City could use shaming signs or condemnation and demolition remedies.

WILL THIS CODE WIPE OUT THE PROBLEM OF ALL BOARDED RESIDENTIAL PROPERTY IN THE CITY?

No. Buildings become vacant, boarded and un-boarded all this time, often for short periods. Buyers will sometimes board a house during renovation or if being prepared for demolition. This code only affects those properties kept vacant and boarded for more than 6 months. Not all owners of these buildings will be motivated by the potential penalties. Bankruptcies, estates in probate and some absentee owners could pose a challenge to the new ordinance.